

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

| | | |
|---|---|-------------------------------------|
| In re: | § | Chapter 11 |
| | § | |
| SERTA SIMMONS BEDDING, LLC, <i>et al.</i> | § | Case No. 23-90020 |
| | § | |
| Debtors.¹ | § | (Jointly Administered) |
| | § | |
| <hr style="border-top: 1px dashed black;"/> | | |
| SERTA SIMMONS BEDDING, LLC, <i>et al.</i> | § | Adversary Proc. No. 23-09001 |
| | § | |
| Plaintiffs, | § | |
| | § | |
| v. | § | |
| | § | |
| AG CENTRE STREET PARTNERSHIP L.P., <i>et al.</i> | § | |
| | § | |
| Defendants. | § | |
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**AMENDED AGENDA OF MATTERS SET FOR HEARING
ON MARCH 28, 2023 AT 9:00 A.M. (CENTRAL TIME)**

A HEARING WILL BE CONDUCTED ON THIS MATTER ON MARCH 28, 2023 AT 9:00 A.M. (CENTRAL TIME) IN COURTROOM 400, 4TH FLOOR, 515 RUSK AVENUE, HOUSTON, TX 77002.

AUDIO COMMUNICATION WILL BE BY USE OF THE COURT'S DIAL-IN FACILITY. YOU MAY ACCESS THE FACILITY AT 832-917-1510. ONCE CONNECTED, YOU WILL BE ASKED TO ENTER THE CONFERENCE ROOM NUMBER. JUDGE JONES' CONFERENCE ROOM NUMBER IS 205691. VIDEO COMMUNICATION WILL BE BY USE OF THE GOTOMEETING PLATFORM. CONNECT VIA THE FREE GOTOMEETING APPLICATION OR CLICK THE LINK ON JUDGE JONES' HOME PAGE. THE MEETING

¹ The Debtors in these Chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Dawn Intermediate, LLC (6123); Serta Simmons Bedding, LLC (1874); Serta International Holdco, LLC (6101); National Bedding Company L.L.C. (0695); SSB Manufacturing Company (5743); The Simmons Manufacturing Co., LLC (0960); Dreamwell, Ltd. (2419); SSB Hospitality, LLC (2016); SSB Logistics, LLC (6691); Simmons Bedding Company, LLC (2552); Tuft & Needle, LLC (6215); Tomorrow Sleep LLC (0678); SSB Retail, LLC (9245); and World of Sleep Outlets, LLC (0957). The Debtors' corporate headquarters and service address for these chapter 11 cases is 2451 Industry Avenue, Doraville, Georgia 30360.

CODE IS “JUDGEJONES”. CLICK THE SETTINGS ICON IN THE UPPER RIGHT CORNER AND ENTER YOUR NAME UNDER THE PERSONAL INFORMATION SETTING.

HEARING APPEARANCES MUST BE MADE ELECTRONICALLY IN ADVANCE OF BOTH ELECTRONIC AND IN-PERSON HEARINGS. TO MAKE YOUR APPEARANCE, CLICK THE “ELECTRONIC APPEARANCE” LINK ON JUDGE JONES’ HOME PAGE. SELECT THE CASE NAME, COMPLETE THE REQUIRED FIELDS AND CLICK “SUBMIT” TO COMPLETE YOUR APPEARANCE.

Serta Simmons Bedding, LLC (the “**Company**”) and its debtor affiliates in the above-captioned chapter 11 cases, as debtors and debtors in possession (collectively, the “**Debtors**”), hereby file this Agenda of Matters Set for Hearing on **March 28, 2023 at 9:00 a.m.** (Central Time) before the Honorable David R. Jones.

I. CONTESTED MATTERS

1. The Company’s Motion for Summary Judgment (Docket No. 69)

Status: This matter is going forward on a contested basis.

Responses Filed:

- A. LCM Defendants’ Memorandum of Law in Opposition to Plaintiffs’ Motions for Summary Judgment (**Docket No. 79 (filed under seal); Docket No. 80)**)
- B. Declaration of Neil Lieberman in Support of LCM Defendants’ Memorandum of Law in Opposition to Plaintiffs’ Motions for Summary Judgment, and Exhibits attached thereto (**Docket No. 81**)
- C. The Ad Hoc Group of First Lien Lenders’ Memorandum of Law in Opposition to Plaintiffs’ Motion for Partial Summary Judgment, and Exhibits attached thereto (**Docket Nos. 86; Docket No. 87 (filed under seal)**)
- D. The Company’s Reply Memorandum of Law in Further Support of Its Motion for Summary Judgment, and Exhibits attached thereto (**Docket No. 110; Docket No. 111 (filed under seal)**)

Related Documents:

- A. Adversary Complaint, and Exhibits attached thereto (**Docket No. 1**)
- B. The Ad Hoc Group of First Lien Lenders’ Corrected Answer to Adversary Complaint (**Docket No. 68**)
- C. The Company’s Answer to the Ad Hoc Group of First Lien Lenders’ Corrected Answer to Adversary Complaint (**Docket No. 85**)

- D. The Company's Statement of Uncontroverted Facts in Support of Its Motion for Summary Judgment, and Exhibits attached thereto (**Docket No. 70**)
- E. The PTL Lenders' Motion for Summary Judgment (**Docket No. 73**)
- F. The PTL Lenders' Amended Motion for Summary Judgment (**Docket No. 77**)
- G. Declaration of Farboud Tavangar in Support of the LCM Defendants' Opposition to Summary Judgment (**Docket No. 83**)
- H. Declaration of Professor Vincent Buccola in Support of the LCM Defendants' Opposition to Summary Judgment, and Appendices attached thereto (**Docket No. 84**)
- I. Declaration of Marti P. Murray (**Docket Nos. 88; Docket No. 102 (filed under seal)**)
- J. Expert Declaration of Sarah M. Ward (**Docket No. 89**)
- K. The Ad Hoc Group of First Lien Lenders' Counterstatement of Controverted Facts in Opposition to Plaintiffs' Motions for Partial Summary Judgment (**Docket No. 90**)
- L. Declaration of Anne E. Beaumont (**Docket No. 92**)
- M. Declaration of Michael Hanigan (**Docket Nos. 93; Docket No. 98 (filed under seal)**)
- N. Declaration of Erik Kreutzer (**Docket Nos. 94; Docket No. 99 (filed under seal)**)
- O. Declaration of Theodore Kwon (**Docket Nos. 95; Docket No. 100 (filed under seal)**)
- P. Declaration of Ryan Mollett (**Docket Nos. 96; Docket No. 101 (filed under seal)**)
- Q. Declaration of Daniel Ryan (**Docket Nos. 97; Docket No. 103 (filed under seal)**)
- R. Affidavit of Service of Epiq (**Docket No. 107**)
- S. The Company's Response to the First Lien Lender Defendants' Additional Material Facts Included in the Counterstatement of Controverted Facts (**Docket No. 112**)
- T. The PTL Lenders' Reply Memorandum of Law in Further Support of Lender Plaintiffs' Motion for Summary (**Docket No. 114**)

2. **The PTL Lenders' Amended Motion for Summary Judgment (Docket No. 73)**

Status: This matter is going forward on a contested basis.

Responses Filed:

- A. LCM Defendants' Memorandum of Law in Opposition to Plaintiffs' Motions for Summary Judgment (**Docket No. 79 (filed under seal); Docket No. 80)**)
- B. Declaration of Neil Lieberman in Support of LCM Defendants' Memorandum of Law in Opposition to Plaintiffs' Motions for Summary Judgment, and Exhibits attached thereto (**Docket No. 81**)
- C. The Ad Hoc Group of First Lien Lenders' Memorandum of Law in Opposition to Plaintiffs' Motion for Partial Summary Judgment, and Exhibits attached thereto (**Docket Nos. 86; Docket No. 87 (filed under seal)**)
- D. The PTL Lenders' Reply Memorandum of Law in Further Support of Lender Plaintiffs' Motion for Summary (**Docket No. 114**)

Related Documents:

- A. Adversary Complaint, and Exhibits attached thereto (**Docket No. 1**)
- B. The Ad Hoc Group of First Lien Lenders' Corrected Answer to Adversary Complaint (**Docket No. 68**)
- C. The Company's Motion for Summary Judgment (**Docket No. 69**)
- D. The Company's Answer to the Ad Hoc Group of First Lien Lenders' Corrected Answer to Adversary Complaint (**Docket No. 85**)
- E. The Company's Statement of Uncontroverted Facts in Support of Its Motion for Summary Judgment, and Exhibits attached thereto (**Docket No. 70**)
- F. Declaration of Farboud Tavangar in Support of the LCM Defendants' Opposition to Summary Judgment (**Docket No. 83**)
- G. Declaration of Professor Vincent Buccola in Support of the LCM Defendants' Opposition to Summary Judgment, and Appendices attached thereto (**Docket No. 84**)
- H. Declaration of Marti P. Murray (**Docket Nos. 88; Docket No. 102 (filed under seal)**)
- I. Expert Declaration of Sarah M. Ward (**Docket No. 89**)

- J. The Ad Hoc Group of First Lien Lenders' Counterstatement of Controverted Facts in Opposition to Plaintiffs' Motions for Partial Summary Judgment (**Docket No. 90**)
- K. Declaration of Anne E. Beaumont (**Docket No. 92**)
- L. Declaration of Michael Hanigan (**Docket Nos. 93; Docket No. 98 (filed under seal)**)
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- Q. Affidavit of Service of Epiq (**Docket No. 107**)
- R. The Company's Reply Memorandum of Law in Further Support of Its Motion for Summary Judgment, and Exhibits attached thereto (**Docket No. 110; Docket No. 111 (filed under seal)**)
- S. The Company's Response to the First Lien Lender Defendants' Additional Material Facts Included in the Counterstatement of Controverted Facts (**Docket No. 112**)

3. **The LCM Lenders' Emergency Motion Challenging Assertion of Privilege (Docket No. 116)**

Status: This matter is going forward on a contested basis.

Responses Filed: Debtors will be prepared to respond to the LCM Lenders' Emergency Motion at the Hearing on March 28, 2023.

Dated: March 27, 2023
Houston, Texas

Respectfully submitted,

/s/ Gabriel A. Morgan

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*Attorneys for Serta Simmons Bedding, LLC, as
Debtor and Debtor in Possession*

Certificate of Service

I hereby certify that on March 27, 2023, a true and correct copy of the foregoing document was served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas, and will be served as set forth in the Affidavit of Service to be filed by the Debtors' claims, noticing, and solicitation agent.

/s/ Nicholas J. Reade

Nicholas J. Reade